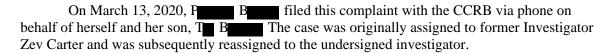
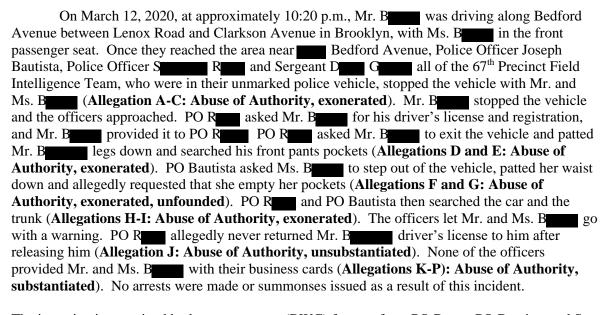
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	∏ F	orce		Discourt	_	II C
			1	_					
Michael Miskovski		Squad #3	202002102	☑ A	buse		O.L.	Ш	Injury
Incident Date(s)		18 Mo. SOL	EO SOL	Locat	tion of	Incide	nt:	Pred	cinct:
Thursday 03/12/2020 10:25 PM		09-12-2021	04-29-2022	In f		2053 Evenue	Bedford		67
Date/Time CV Reported		CV Reported At:	How CV Reported:	: D	ate/Tin	ne Recei	ived at CC	RB	
Fri, 03/13/2020 10:42 AM		CCRB	Phone	Fı	Fri, 03/13/2020 10:42 AM				
Complainant/Victim	Type	Home Addr	ess						
1. P B	Comp/V	ictim Fenimor	re Street Apt. Brooklyn NY 11225						
2. T B	Victim	Fenimor	re Street Apt. Brooklyn NY 11225						
Subject Officer(s)	Shield	TaxID	Command						
1. DT3 Joseph Bautista	00113	954534	INT CIS						
2. PO S			INT CIS						
3. SGT D			INT CIS						
Officer(s)	Allegatio	on			Inv	vestigat	tor Reco	mme	ndation
A. SGT D		Authority: Sergeant D n which F	and T B wer		Α.	Exone	erated		
B . PO S	Abuse of	Authority: Police Office In which P		stopped were	dB.	Exone	erated		
C. DT3 Joseph Bautista		Authority: Police Office le in which Page B		topped were	IC.	Exone	erated		
D . PO S	Abuse of B	Authority: Police Office	cer S R f	risked	D .	Exone	erated		
E . PO S	Abuse of	Authority: Police Office	cer S R s	earche	ed E.	Exone	erated		
F. DT3 Joseph Bautista		Authority: Police Office	cer Joseph Bautista fi	risked	F.	Exone	erated		
G. DT3 Joseph Bautista		Authority: Police Office	cer Joseph Bautista se	earche	d G.	Unfou	ınded		
H. PO S		Authority: Police Office le in which Passes B		searche were	ed H.	Exone	erated		
I. DT3 Joseph Bautista		Authority: Police Office le in which Passes Bases.		earche were	d I.	Exonei	rated		
J. PO S	Abuse of T B	Authority: Police Office property.	cer S R s	seized	J .	Unsub	stantiated	l	
K . SGT D		Authority: Sergeant D with a business card	G failed to	provio	de K.	Substa	antiated		
L . PO S	Abuse of provide	Authority: Police Office With a busin		ailed t	o L.	Substa	antiated		

Officer(s)	Allegation	Investigator Recommendation
M . DT3 Joseph Bautista	Abuse of Authority: Police Officer Joseph Bautista failed to provide T B with a business card.	M . Substantiated
N . SGT D	Abuse of Authority: Sergeant D G failed to provide P with a business card.	N . Substantiated
O . PO S	Abuse of Authority: Police Officer S R failed to provide P with a business card.	O. Substantiated
P. DT3 Joseph Bautista	Abuse of Authority: Police Officer Joseph Bautista failed to provide P with a business card.	P. Substantiated
Q. SGT D	Other Possible Misconduct Noted: Sergeant D G improperly used his body-worn camera according to Patrol Guide Procedure 212-123.	Q . Other Possible Misconduct
R . PO S	Other Possible Misconduct Noted: Police Officer S Rimmin improperly used his body-worn camera according to Patrol Guide Procedure 212-123.	R . Other Possible Misconduct
S. DT3 Joseph Bautista	Other Possible Misconduct Noted: Detective Joseph Bautista improperly used his body-worn camera according to Patrol Guide Procedure 212-123.	S . Other Possible Misconduct

Case **Summary**

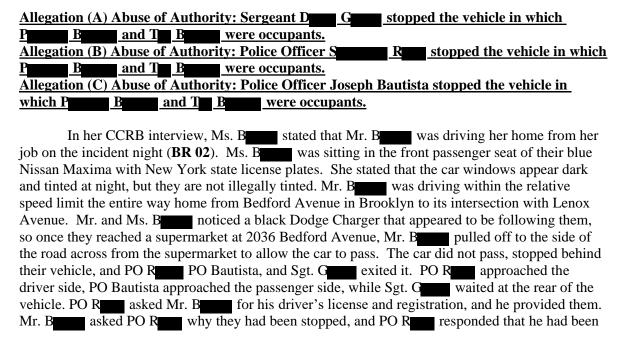




The investigation received body-worn camera (BWC) footage from PO Record PO Bautista and Sgt. (BR 01). However, the officers failed to active their BWC when they initiated the stop (Allegations Q-S: Other Possible Misconduct, other possible misconduct noted).

PO Bautista has since been promoted to a detective.

Findings and Recommendations



driving at 40 miles per hour in the 25 miles per hour zone.

In his CCRB interview, Mr. Beauty provided a consistent statement with Ms. Beauty (BR 03). However, he admitted that he was "probably driving a little bit over the speed limit," but not up to 40 miles per hour to his knowledge. Mr. Beauty also saw PO Record scan Mr. Beauty driver's license with his phone once he provided it to PO Record asked for the keys to the vehicle and Mr. Beauty did not know anything about tinting on the windows.

In his CCRB interview, PO Reside testified that while he was operating his vehicle, he witnessed Mr. Beging and driving in a car with tinting on the windows (**BR 04**). PO Reside could not recall how the police vehicle was positioned when he first noticed the vehicle. He did not recall exactly how fast the vehicle was observed to be traveling. He did not recall what the speed limit was in the area where he first saw the car, but noted that if it was not posted, it would have been 25 miles per hour in New York City. He did not recall where PO Bautista and Sgt.

Given were sitting in the police vehicle. He did not recall whose decision it was to stop Mr.

Beging the did not recall if he had any conversation with the other officers about the car stop before it took place. PO Resides stopped Mr. and Ms. Beging but did not recall how he stopped their vehicle. PO Resides went to the driver's side, while Sgt. Greico was by the passenger side, and PO Bautista stood by the driver side in the rear. PO Resides could not see inside the car due to the dark windows, so he asked that they be rolled down. He did not recall if he requested Mr. Beging documentation but noted that he usually requests the name or driver's license of the driver.

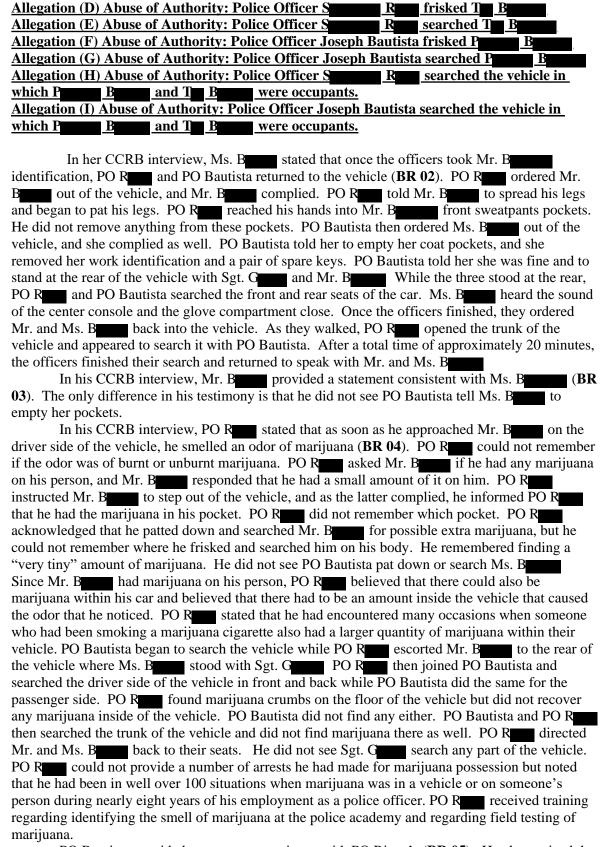
In his CCRB statement, PO Bautista noted that he was sitting in the rear of the patrol vehicle, behind PO R He did not recall what brought his attention to Mr. B vehicle (BR 05). He did not recall observing the vehicle speeding or having excessive tints prior to it being stopped. PO Bautista did not recall which officer made the decision to stop the vehicle or whether there was a conversation about the vehicle amongst the officers prior to it being stopped. Once the officers stopped the vehicle, PO R approached the driver with PO Bautista behind him and Sgt. Greico approached the passenger. He did not remember if PO R ever asked Mr. B for his driver's license.

In his CCRB interview, Sgt. G stated that he did not remember the incident and could only explain what he remembered from his review of his BWC footage (**BR 06**). He did not recall who first observed Mr. and Ms. B vehicle. He could not recall if the windows had an illegal level of tinting nor which windows were allegedly tinted. He noted that it was moving "quick" and "well over 30" but did not elaborate further. Sgt. G was unsure as to whose decision it was to stop the vehicle or whether it was his own. He was unsure if he had any conversation with PO R or PO Bautista before the car was stopped. He explained that in his notes that he prepared for his CCRB interview, he wrote that the window tinting was the reason for the stop. Once the vehicle was stopped, he approached the passenger side while PO R and PO Bautista were somewhere near the driver side.

The BWC footage does not show the moments preceding the stop (**BR 01**). The footage begins once the officers instruct Mr. Begins to step out of the vehicle.

The New York State (NYS) Department of Motor Vehicles cites NYS Vehicle and Traffic Law Section 375(12-a) to say that it is illegal in NYS for window tinting to block more that 30% of light (**BR 21**). According to NYS Vehicle and Traffic Law Article 30 Section 1180(d), drivers must obey and not exceed posted speed limits (**BR 22**).

Since Ms. B acknowledged that the windows appeared to have tinting, especially in the dark of night, and since Mr. B acknowledged driving above the speed limit, the investigation credits the officers' testimonies that they noticed the tinted windows and the speeding, both of which are Vehicle and Traffic Law (VTL) violations. As such, the investigation finds that the officers did not commit misconduct in initiating the vehicle stop for the VTL violations. It is therefore recommended that **Allegations A-C** be closed as *exonerated*.



PO Bautista provided a statement consistent with PO Rizzo's (BR 05). He also noticed the

odor of marijuana, distinguishing that it smelled like burnt marijuana smoke when he approached the front of the vehicle. PO Bautista saw that once PO Record directed Mr. Because out of the vehicle, he (PO Record patted Mr. Because legs down. PO Bautista did not recall seeing PO Record enter any of Mr. Because pockets. As PO Record walked with Mr. Because to the rear of the vehicle, PO Bautista approached Ms. Because at the front passenger side. PO Bautista ordered her out of the vehicle and frisked her due to the odor of marijuana along the exterior of all her clothing. He was unsure if he entered any of her pockets but noted that it could have been possible. He did not find anything on her person. PO Bautista escorted her to the rear of the vehicle where Sgt. George stood. PO Bautista then searched the front and rear passenger sides of the vehicle for marijuana. He only found marijuana crumbs in the rear passenger area. He and PO Record searched the trunk but did not find any marijuana therein. He did not see Sgt. George search any part of the vehicle.

In his CCRB testimony, Sgt. G stated that he had trouble remembering the specifics of this part of the incident (**BR 06**). He recalled that at some point he noticed the odor of burnt marijuana from the vehicle as he stood alongside it. He noted that he had been involved with thousands of stops for marijuana during his tenure. He did not recall either PO R or PO Bautista patting down or searching either of Mr. and Ms. B Sgt. G did not search the vehicle himself; however, he remembered that PO R and PO Bautista searched the vehicles but did not recall the specific areas. He also believed that the two officers search the trunk of the car.

PO Rizzo's and PO Bautista's BWC footage best capture the allegations. In PO Rizzo's BWC footage, located in IA #138, shows the initial interaction (**BR 01**). At 00:30, while Mr. Best exits the vehicle, PO Rest asks him, "You got any marijuana on you? Even a little bit?" Mr. Best responds, "Yes." PO Rest replies, "Yeah, I smell it. In here?" Mr. Best clarifies, "Other pocket," while PO Rest stands close to Mr. Best somewhat obstructing the view of the camera. At 00:55, PO Rest shines his flashlight inside of Mr. Best jacket pocket. Mr. Best says, "I don't think you're allowed to go in my pockets, bro." PO Rest tells him that he can do so because Mr. Best admitted to having marijuana on his person. At 01:03, PO Rest instructs Mr. Best to the rear of the vehicle when he finishes. At 02:36, PO Rest walks to the front driver's seat and searches the door compartment and center console, remarking, "There's weed crumbs in here too." At 03:25, he returns to the trunk and instructs Mr. and Ms. Best to enter the vehicle. From 03:23 to 04:38, he opens the trunk of the vehicle and searches it with PO Bautista.

PO Bautista's BWC footage contained in IA #138 shows the same initial moments as PO Rizzo's BWC footage (**BR 01**). At 00:38, PO R can be seen reaching into Mr. B front left jacket pocket and removing Mr. B keys. At 01:18, PO Bautista walks to the front passenger side of the vehicle and asks Ms. B to exit the vehicle. Ms. B complies. PO Bautista asks, "Anything in your pockets I got to worry about?" Mr. B replies, "Are you guys serious?" Ms. B begins to take off her coat but is interrupted by PO Bautista who says that he does not need her to do so and is only looking for weapons or knives. At 01:35, PO Bautista appears to pat down her waist and jacket pockets. He does not appear to enter them. At 01:50, Ms. B walks to the rear of the vehicle to stand with Sgt. G From 01:54 to 02:39, PO Bautista searches the front passenger seat and area. At 02:42, he walks to the rear passenger seat and searches the pocket and armrest. He exclaims, "Yo there's md nuggets right here." He finishes the search and at 03:45, he searches the trunk with PO R until 04:45.

In *People v, Chestnut*, 36 N.Y.2d 917, the court determined that the odor of marijuana smoke during a vehicle stop was sufficient for officers of sufficient training and experience to search the vehicle and its occupants (**BR 07-08**).

NYPD Patrol Guide Procedure Section 212-11 describes the levels of interactions with civilians and their authority to initiate each level at a certain threshold (**BR 09**). A level one encounter is a non-accusatory Request for Information and requires an objective, credible reason to approach a civilian. The Common Law Right of Inquiry is a level two encounter, commonly known as a question, and requires founded suspicion that criminal activity is afoot. A Terry Stop is

a level three encounter and requires reasonable suspicion that a person has committed, is committing, or is about to commit a felony or Penal Law misdemeanor. Under the level three stop, officers may frisk the person if the officer has reasonable suspicion that the person is armed and dangerous.

The investigation credits the officers' testimony that there was marijuana within the vehicle because they were all consistent in testifying about the odor of marijuana and Mr. Barrar admitted in the BWC footage that he had some marijuana, despite Mr. Barrar and Ms. Barrar not testifying about having marijuana during their interviews. The amount of marijuana crumbs and nuggets are unknown since they are not clearly visible in the footage. However, the investigation credits the officers' training and experience to identify the odor of the marijuana that was admittedly in the vehicle and on Mr. Barrar person. Since the court established that the search is lawful due to the odor of marijuana, PO Rarrar was allowed to reach Mr. Barrar pockets, as seen on the BWC footage. Furthermore, since the Patrol Guide establishes that a frisk is a lower level of interaction than a search, the frisk is permitted by extension as well. PO Rizzo's search of the vehicle due to the odor of marijuana was also permissible under the precedent at the time of the incident set by Chestnut. The investigation thus finds that PO Rarrar did not commit misconduct by frisking and searching Mr. Burell and searching his vehicle. It is therefore recommended that Allegations D, E, and H be closed as exonerated.

As for PO Bautista's actions, the BWC footage establishes that he did not instruct Ms. Because to empty her jacket pockets and actually told her that the removal of her jacket was unnecessary. Though PO Bautista himself was unsure if he searched Ms. Because the BWC footage confirms that he instead patted Ms. Because down during the course of his interaction with her. Since PO Bautista did not search Ms. Because it is therefore recommended that **Allegation G** be closed as *unfounded*.

As mentioned above, the investigation credits the officers' testimonies about the presence of marijuana. Since a frisk is a lower level of interaction than a search in the <u>Patrol Guide</u>, and since PO Bautista was permitted to search Ms. Becaute the investigation has established by a preponderance of the evidence that PO Bautista did not commit misconduct by frisking Ms. Burell. It is therefore recommended that **Allegations F** and **I** be closed as *exonerated*.

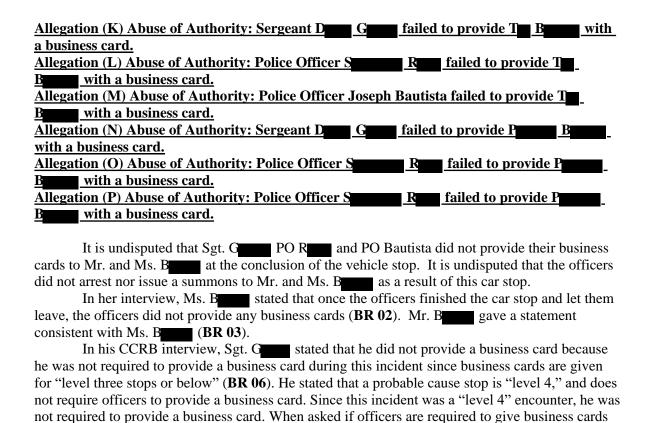
Allegation (J) Abuse of Authority: Police Officer Server Reserved Reserved

In her CCRB interview, Ms. Box stated that when the officers originally stopped the vehicle, PO R asked Mr. Box for his driver's license and Mr. Box provided it (BR 02). PO R then handed it to PO Bautista who walked back to the police vehicle and stayed there while PO R ordered Mr. Box out of the vehicle and patted him down. Later, once the officers finished the vehicle search, PO R returned to speak with Mr. and Ms. Box who were already inside of the vehicle. He told them that Mr. Box had an open warrant from 2015 and explained that it was for possession of a knife. The officers then let them leave the location. Later that evening, Mr. Box told Ms. Box that he was missing his driver's license and that PO R was vehicle, eventually finding it at the 67th Precinct stationhouse. Ms. Box walked up to PO R was standing in the parking lot. She explained that he had not returned Mr. Box driver's license. PO R informed her that he had indeed given it back to them and entered the stationhouse.

In his CCRB statement, Mr. Bessel stated that he gave PO Ressel his driver's license when stopped (**BR 03**). PO Ressel appeared to scan the driver's license with his department phone. PO Ressel then asked for the car keys and Mr. Bessel provided them as well. Then PO Ressel ordered Mr. Bessel out of the vehicle, searched him and the vehicle, as stated in the above allegations. Once the incident concluded, PO Bautista approached the driver's side of the vehicle and told Mr.

Bases that he had an open warrant from 2015 for possession of a knife. The officers then told Mr. he was free to leave. Once he returned to his apartment, he noticed that his driver's license was missing and drove back to the incident location to find the officers. Mr. B officers near the 67th Precinct stationhouse and told PO R that he had not returned his driver's license. PO R insisted that he had done so and went inside the stationhouse. A warrant audit search revealed that on March 12, 2020, at 10:19 p.m., PO Bautista conducted two warrant audits: one with Mr. Barrant name and date of birth and one with his driver's license plate number (**BR 10**). In his CCRB interview, PO R stated he did not recall if he asked for Mr. B driver's license (BR 04). PO Representation of their names asks individuals for their names and other times for their driver's licenses. When they do not have a driver's license, PO R checks their names and dates of birth in the department phone. He did not perform any searches for Mr. B but noted that PO Bautista performed a search for both Ms. and Mr. B recall how PO Bautista received their information. PO Research stated that once he finished the car stop, he provided Mr. Bear his car keys and let him go with a warning. PO Rese did not recall having Mr. Butter driver's license in his possession. In his CCRB interview, PO Bautista stated he did not recall witnessing PO R request driver's license or whether PO R had Mr. B driver's license in his possession at any point in the incident (BR 05). PO Bautista believed that he conducted a search of and Ms. Barran names during the incident. The investigation showed PO Bautista the warrant audit results, but PO Bautista was unsure how he learned Mr. Butter name and date of birth. He believed that he could have received the information from Ms. B incident concluded, the officers issued a warning and admonishment to Mr. and Ms. B allowed them to leave. PO Bautista did not recall if PO R ever had Mr. Beautista driver's license to return in the first place. In his CCRB interview, Sgt. G stated he did not believe that he ever witnessed PO Remark Mr. Barrell driver's license (BR 06). He saw PO R hand something to Mr. at the end of the incident, believing that the items were the keys to the car. Sgt. G did not see PO R seize or keep Mr. B driver's license. None of the BWC footage captures the initial moments of the stop or any initial conversation nor do the videos capture the very end of the stop either (BR 01). All of the BWC footage begins when PO Remainstructs Mr. Bears to exit the vehicle (BR 01). PO Bautista's BWC footage does not show him conducting the warrant audit (BR 01). As previously referenced, PO Bautista's BWC footage shows that at 00:38 seconds, PO R removes Mr. B keys from his jacket pocket. At no point in any of the footage is a driver's license visible in any of the officers' hands. In PO Rizzo's BWC footage at 00:48, when he is frisking Mr. But he asks Mr. where he lives, and Mr. B responds with his address (**BR 01**). In Sgt. Grieco's BWC footage, located in IA #138, at 02:34, while he stands at the rear of the vehicle with Mr. And Ms. he asks Mr. B for his exact address. Mr. B looks at something in his hands that appears to be a wallet. Later, at the end of the incident, at 04:46, PO R can be seen handing Mr. B his keys and tells him, "Listen, let me tell you something," but the video cuts off (BR 01). None of the footage shows officers returning to their card to conduct the warrant audit. Due to the conflicting testimony between Mr. and Ms. B and the officers, the investigation is unable to determine if PO R had Mr. B driver's license in his possession at any point in the incident. Video evidence showed that PO R and Sgt. G both asked for address, which would have been on the driver's license that he provided to them. Furthermore, PO Bautista ran the warrant audit, which according to PO R is usually done when a civilian cannot produce a driver's license. Due to the conflicting factors and the fact that BWC footage does not cover the entire stop, especially the beginning and ending, the investigation is unable to determine if PO Record acquired Mr. Because driver's license and failed to return it. It is

therefore recommended that Allegation J be closed as unsubstantiated.



business card.

In his CCRB interview, PO Research stated that Mr. and Ms. Bessel did not request business cards. PO Research that he did not provide one since he had probable cause in a "level 4" interaction and was not required to provide one (**BR 04**).

in any other situations, Sgt. General replied that they should also be given if someone requests a

In his CCRB interview, PO Bautista stated that he did not provide a business card because there was probable cause to search the vehicle during this incident, and as such, he did not think it was necessary to provide business cards to Mr. Beautiful (BR 05).

According to the New York City Administrative Code 14-174 officers must provide a business card at the conclusion of a search of "persons or property, including vehicles" that contains their "name, rank, and command," whether handwritten or pre-printed (BR 11). NYPD Patrol Guide Procedure 203-09 states that an officer must "offer member of the public a generic Right to Know Business Card—general with identification information written down legibly, if supply of pre-printed Right to Know Business Cards becomes depleted (e.g., awaiting new supply of pre-printed Right to Know Business Cards, etc.), upon conclusion of law enforcement activities," also noting that a law enforcement activity includes searches of vehicles (BR 12). Both the New York City Administrative Code 14-174 and NYPD Patrol Guide Procedure 203-09 note that the business card must be offered "except in cases when a summons is issued or an arrest is made, or exigent circumstances are present (i.e., physical resistance, flight, imminent danger of physical injury or damage to property, or other factors make such procedure impractical)," (BR 11-12).

<u>NYPD Patrol Guide Procedure 202-09</u> instructs commanding officers that they must ensure proper performance of the functions designated for the command and frequently test the knowledge of members of the command regarding their duties and responsibilities (**BR 20**).

Since the officers did not issue a summons to Mr. and Ms. Barran after stopping and searching the vehicle, the <u>Administrative Code</u> and the <u>Patrol Guide</u> require that the PO Rand and PO Bautista provide business cards to Mr. and Ms. Barran because they engaged in vehicle search

and a search of Mr. B Furthermore, since the officers had time to finish the stop with a warning and admonishment, as previously established, there were no exigent circumstances that required them to leave immediately without the opportunity to provide business cards. Though Sgt. G did not engage in the search of the vehicle, he was the commanding officer present, and as referenced in the Patrol Guide, he was responsible for the conduct and duties of PO Bautista and PO R Thus, while the search was justified, the officers were required to provide Mr. and Ms. B their business cards since they were the occupants of the vehicle that was searched, and it was Sgt. Grieco's duty to ensure adherence to the protocol. Though the officers cited probable cause, the Patrol Guide explicitly states that the search of a vehicle requires a business card. As such, based on the preponderance of the evidence, the investigation has determined that the officers committed misconduct by not providing business cards to Mr. and Ms. B It is therefore recommended that Allegations K-P be closed as *substantiated*.

Allegation (Q) Other Possible Misconduct: Sergeant D improperly used his bodyworn camera according to Patrol Guide Procedure 212-123.

Allegation (R) Other Possible Misconduct: Police Officer S improperly used his body-worn camera according to Patrol Guide Procedure 212-123.

Allegation (S) Other Possible Misconduct: Police Officer Joseph Bautista improperly used his body-worn camera according to Patrol Guide Procedure 212-123.

The BWC footage from Sgt. General PO Remains and PO Bautista begins once PO Remainstructs Mr. Beneral to step outside of the vehicle, and none of the footage captures preceding moments and how the stop was initiated (BR 01). Patrol Guide Procedure 212-123 states that officers must activate their BWC during vehicle stops (BR 23). Sgt. General PO Remains and PO Bautista did not activate their BWCs at the onset of the stop, therefore, it is recommended that Allegations Q-S result in Other Possible Misconduct Noted.

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which Ms. Barrar and Mr. Barrar have been parties (BR 13-14).
- Sgt. G has been a member of service for 16 years and has been named a subject in 43 other CCRB complaints and 126 other allegations, of which 12 have been substantiated:
 - Case 201111996 involved a substantiated allegation of a premises entered and/or searched against Sgt. General The Board recommended Command Discipline, and the NYPD imposed Instructions.
 - Case 201207718 involved a substantiated allegation of a stop against Sgt. General The Board recommended Charges, and the NYPD forfeited one vacation day from Sgt.
 - Case 201405351 involved a substantiated allegation of premises entered and/or searched against Sgt. General The Board recommended Charges and Specifications.
 Sgt. General was found not guilty at trial, and no discipline was imposed.
 - Case 201800398 involved substantiated allegations of a vehicle stop, a vehicle search, a search of person, and a threat of summons against Sgt. General The Board recommended Charges, and the NYPD forfeited 10 vacation days from Sgt. General
 - Case 201901422 involved a substantiated allegation of a threat of force against Sgt.
 The Board recommended Formalized Training, and the NYPD imposed Instructions.
 - Case 201903162 involved four substantiated allegations of supervising improper arrests against Sgt. General The Board recommended Formalized training, and the NYPD imposed the recommended training.
 - o Case 201908868 involved substantiated allegations of an entry and a search of premises

- against Sgt. General The Board recommended Charges, and the NYPD has not yet imposed discipline.
- Six allegations of a vehicle stop have been pleaded against Sgt. General Specifically, they were alleged in case 200714398, which closed as complainant unavailable, case 201209434, which closed as unsubstantiated, case 201709960, which closed as unsubstantiated, case 201800398, which closed as substantiated, and cases 202005785 and 202100673 that are currently under investigation.
- PO R has been a member of service for eight years and has been named a subject in eight other CCRB complaints and 32 allegations, none of which were substantiated.
 - Five allegations of a vehicle search have been pleaded against PO Report Specifically, they were alleged in case 201903474, which was closed as mediation attempted, and cases 202000690, 202001998 (two allegations), and 202006527 that are currently under investigation.
 - Two allegations of a frisk have been pleaded against PO R Specifically, they were alleged in case 202002134 and case 202000690, which is currently under investigation.
- PO Bautista has been a member of service for eight years and has been named a subject in either other CCRB complaints and 23 allegations, none of which were substantiated.
 - O Two allegations of a frisk have been pleaded against PO Bautista. Specifically, they were alleged in cases 202006527 and 202006753 that are currently under investigation.
 - Four allegations of a vehicle search have been pleaded against PO Bautista.
 Specifically, they were alleged in cases 202000690, 202001998 (twice), and 202006527, all of which are currently under investigation.

Mediation, Civil, and Criminal Histories

- This complaint was not suitable for mediation (**BR 15**).
- On February 16, 2022, a request for Notice of Claim was submitted to the New York City Office of the Comptroller and will be added to the case file upon receipt (**BR 16**).
- According to the Office of Court Administration, Mr. Bassa and Ms. Bassa have no history of convictions in New York City (BR 17-18).

Squad: 3		
Investigator: <u>Michael Miskovsk</u> Signature	<u></u>	02/23/2022 Date
Squad Leader: Olga Golub Signature	IM Olga Golub Print Title & Name	
Reviewer: Signature	Print Title & Name	Date